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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,499	12/28/2001	Andreas Dieberger	ARC920010063US1	1253
33360 7590 11/04/2010 MARK D. MCSWAIN IBM ALMADEN RESEARCH CENTER, IP LAW DEPT. 650 HARRY ROAD C41A - J2 814 SAN JOSE, CA 95120				
EXAMINER PITARO, RYAN F				
ART UNIT		PAPER NUMBER		
2174				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/034,499

**Applicant(s)**

DIEBERGER ET AL.

**Examiner**

RYAN F. PITARO

**Art Unit**

2174

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10, 13, 15 and 17-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 13, 15, 17-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-06)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

I. This action is responsive to the communication filed on 8/30/2010. Claims 1-26 are pending in the application. This action is non-final.

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 8/30/2010 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,2,4-10,17-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koike et al ("Koike", *Timeslider: An Interface to Specify Time Point*) in view of Mah et al ("Mah" 6,982,708).

As per independent claim 1, Koike discloses a method for visualizing dynamic documents in a graphical user interface, comprising the steps of: generating a summary view (Figure 1) of at least one dynamic document including data from an ongoing process (Column 1 lines 15-17) and containing instances of search terms (Column 3 lines 45-50), using a condensed abstract representation of a search term density distribution (Column 3 lines 49-50) updating said summary view to reflect changes in said dynamic document (Column 1 lines 32-34); and triggering an enhancement of said summary view by cursor brushing (Column 3 lines 40-44).

Koike fails to teach a density distribution from the group consisting of color, pattern, and relative darkness.

However, Mah teaches a density distribution representation is selected from the group consisting color, pattern, and relative darkness (Column 9 lines 33-52, In one embodiment, the visualization product employs color density to represent retention and/or drop off rates. By viewing the color density, the user detects significant retention and/or drop off rates within a subpath tree. Nodes have different color densities depending on the frequency or retention/drop-off values of the subpath represented by the node. )

Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Mah with the method of Koike. Motivation to do so would have been to easily distinguish a density just by glancing.

As per claim 2, which is dependent on claim 1, Koike-Mah discloses a method comprising the further step of navigating to at least one segment of said dynamic document by selecting a corresponding portion of said summary view (Koike, Column 1 lines 17-20).

As per claim 4, which is dependent on claim 1, Koike-Mah discloses a method comprising the further step of identifying said dynamic documents with at least one search engine (Koike, Column 3 lines 44-48).

As per claim 5, which is dependent on claim 1, Koike-Mah discloses a method comprising the further step of aggregating information to enable a more condensed abstract representation of said dynamic document (Koike, Column 3 lines 40-44).

As per claim 6, which is dependent on claim 1, Koike discloses a method wherein said method is performed periodically (Koike, Column 1 lines 16-18; *in periods which run one after another*).

As per claim 7, which is dependent on claim 1, Koike discloses a method wherein said method is performed continuously (Koike, Column 1 lines 16-18).

Claims 8, 22, 23 are individually similar in scope to that of claim 1, and are rejected under similar rationale.

Claim 9 is similar in scope to that of claim 2, and is rejected under similar rationale.

As per claim 10, which is dependent on claim 8, Koike-Mah discloses a system where said dynamic document comprises at least one of: a text file, an image file, a web page (Koike, Column 2 lines 2-5), an audio file, a video file, streaming data.

As per claim 17, which is dependent on claim 8, Koike-Mah discloses a system wherein search terms include user-specified events defined by significant changes in said data from said ongoing process (Koike, Column 1 lines 16-18).

As per claim 18, which is dependent on claim 8, Koike-Mah discloses a system wherein the summary view includes a number of distinct regions, each region having a different resolution scale, enabling information to be depicted at different levels of detail (Koike, Column 2 lines 29-32).

As per claim 19, which is dependent on claim 18, Koike-Mah discloses a system wherein said resolution scale is a time scale (Koike, Column 2 lines 25-32).

As per claim 20, which is dependent on claim 8, Koike-Mah discloses a system wherein the abstract representation is nonlinear (Koike, Column 2 lines 25-26).

As per claim 21, which is dependent on claim 21, Koike-Mah discloses a system wherein said summary view depicts more recent events with higher resolution than less recent events (Koike, Column 2 lines 29-32).

As per claim 24, which is dependent on claim 1, Koike-Mah discloses a method wherein said representation is color (Mah, Column 9 lines 33-52, In one embodiment, the visualization product employs color density to represent retention and/or drop off rates. By viewing the color

density, the user detects significant retention and/or drop off rates within a subpath tree. Nodes have different color densities depending on the frequency or retention/drop-off values of the subpath represented by the node. )

As per claim 25, which is dependent on claim 1, Koike-Mah discloses a method wherein said representation is pattern (Mah, Column 8 lines 39-44, cross hatching)

As per claim 26, which is dependent on claim 1, Koike-Mah discloses a method wherein said representation is pattern (Mah, Column 8 lines 39-44, darker a node)

4. Claims 3,15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koike et al ("Koike", *Timeslider: An Interface to Specify Time Point*) in view of Mah et al ("Mah" 6,982,708) in view of Chen et al ("Chen", US 6,625,624).

As per claim 3, which is dependent on claim 1, Koike-Mah fails to distinctly point out computing a statistical summary of the contents. However, Chen teaches computing a statistical summary of contents of a selected document portion (Column 9 lines 44-48). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Koike-Mah with the teaching of Chen. Motivation to do so would have been to provide an overview to better understand the primary areas of focus.

As per claim 15, which is dependent on claim 8, Koike-Mah fails to disclose the document being stock market information. However, Chen teaches the document to include stock market data (Column 9 lines 40-48). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Koike-Mah with the teaching of Chen. Motivation to do so would have been to provide a way of tracking stocks.

1. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koike et al ("Koike", *Timeslider: An Interface to Specify Time Point*) in view of Mah et al ("Mah" 6,982,708) in view of Ayyar et al ("Ayyar", US 2002/0140722).

As per claim 13, which is dependent on claim 8, Koike-Mah fails to distinctly point out a system including data from a security system. However, Ayyar teaches a system wherein said dynamic document includes data from a security system ([0018] lines 1-18). Therefore it would have been obvious to an artisan at the time of the invention to combine the security system of Ayyar with the system of Koike-Mah. Motivation to do so would have been to provide a way to identify or selecting sequences for individual cameras for use in the system of Koike-Mah.



***Response to Arguments***

TApplicant's arguments with respect to claims 1-10,13,15,17-26 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F. Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on 571-272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Ryan F Pitaro/  
Primary Examiner, Art Unit 2174

RFP